

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

MARK T. DUBLINO,

Plaintiff,

v.

SGT. JUSTIN BIEGAJ, SGT. ROBERT DEE,
DEPUTY BRIAN THOMPSON,
DEPUTY FRANK GELSTER,
SGT. MR. CROSS, SGT. MR. ROBINSON,
DEPUTY MR. P. GIARDINA, and
DEPUTY SHAWN WILSON,

Defendants.

NOTICE OF MOTION

Case No.: 19-CV-6269

NATURE OF ACTION:

42 U.S.C. §1983

MOVING PARTIES:

Defendants Biegaj, Dee, Thompson, Gelster, Cross, Robinson, Giardina, and Wilson, by their attorney, Michael A. Siragusa, Esq., Erie County Attorney, by Erin E. Molisani, Esq., of counsel

RELIEF REQUESTED:

An Order granting defendants summary judgment and dismissing the Amended Complaint, together with such other and further relief as to this Court may seem necessary and just

DATE, TIME & PLACE:

As directed by the Court, Hon. David G. Larimer, United States District Court Judge, Western District of New York, 100 State Street, Rochester, New York 14614

SUPPORTING PAPERS:

Supporting Declaration of Erin E. Molisani, Esq. sworn to October 8, 2021, with Exhibits A through L; Movants' Statement of Material Facts Pursuant to Local R. 56 by Assistant Erie County Attorney Erin E. Molisani, dated October 8, 2021; and

Memorandum of Law dated October 8, 2021

REPLY PAPERS:

These moving defendants intend, if need be, to file and serve reply papers, which are to be filed in accordance with the Court's briefing schedule

GROUND FOR RELIEF REQUESTED:

Fed. R. Civ. P. 56, Local R. Civ. P. 56, and authority cited herein

ORAL ARGUMENT:

As directed by the Court

Dated: Buffalo, New York
October 8, 2021

MICHAEL A. SIRAGUSA
Erie County Attorney

s/ Erin E. Molisani
Erin E. Molisani, Esq.
Assistant County Attorney
95 Franklin Street, Room 1634
Buffalo, New York 14202
Telephone: (716) 858-2216
Email: Erin.Molisani@erie.gov